IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Civil Writ Petition No.180 of 2006
Date of Decision: *January 27, 2009*

K-Risaldar Raghbir Singh

.....PETITIONER(S)

VERSUS

Union of India & Others

.....RESPONDENT(S)

. . .

CORAM: HON'BLE MR. JUSTICE AJAI LAMBA

PRESENT: - None for the petitioner.

Mrs. Renu Bala Sharma, Advocate, for the respondents.

. . .

AJAI LAMBA, J (Oral)

Vide impugned order, Annexure P-7, the claim for disability pension in consultation with Medical Advisor (Pension) was rejected. It has been held that the disability i.e. Ischemic Heart Disease is neither attributed nor aggravated by military service. However, under Para 3(a) of the impugned order, the petitioner was given liberty to approach the Government of India by way of filing of an appeal within six months from 18.3.2005.

It is not dispute that the petitioner did file an appeal vide Annexure P-8. Without however waiting for the decision, the petitioner approached this Court in writ jurisdiction.

Learned counsel for the respondents states that the respondents received a legal notice dated 2.12.2005 (Annexure P-9), no decision however on the appeal has been taken.

This petition is disposed of with direction to the respondents to take a decision on the appeal within five months from the date of receipt of a copy of this order.

It is made clear that in case the appeal is rejected, the petitioner can avail remedies available.

(AJAI LAMBA)
JUDGE

January 27, 2009
avin